

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

FILED-CLERK  
U.S. DISTRICT COURT  
2007 JAN 29 PM 2:36  
TEXAS-EASTERN

RUSSELL D. ABEREGG

§

BY \_\_\_\_\_

VS.

§

CIVIL ACTION NO. 4:06cv451

JENNIFER EDWARDS, ET AL.

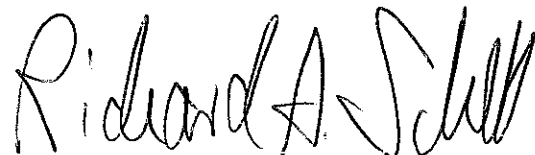
§

ORDER OF DISMISSAL

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Don D. Bush. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. It is therefore

**ORDERED** that the lawsuit is **DISMISSED** without prejudice for failure to obey an order and failure to prosecute. Fed. R. Civ. P. 41(b); Rule 41, Local Rules for the Eastern District of Texas. All motions by either party not previously ruled on are hereby **DENIED**.

SIGNED this 29<sup>th</sup> day of January, 2007.



RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE